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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/529,577
Filing Date: March 30, 2005
Appellant(s): LEPPANEN ET AL.

Nathaiel T. Quirk
Reg. No. 60,676
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 9/13/2010 appealing from the Office action mailed 12/18/2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 6993327 B2	**Mathis**	**10-2001**
US 20030009530 A1	**Philonenko**	**9-2002**

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Detailed Action

This Office Action is response to the application (10/529577) filed on 08/24/2009

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 11-17, 19, 21-25, 27-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mathis** U.S Patent No. **US 6993327** in view of **Philonenko** U.S Patent App. No. **US 2003/0009530.**

Regarding claim 1, Mathis teaches wherein an apparatus comprising at least one processor and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus at least to perform:

storing presence information associated with at least one user **(Fig. 1, unit 102 – The client devices 102, 104, 106, 108 and the server 112 each include a processor for general operation of the server and a memory for storage of applications and data – col. 3, lines 13-26)**;

for identifying an application for which said at least one part is intended **(Each contact list is able of identifying devices of the plurality of communication devices – col. 2, lines 10-34; The present invention enables distribution of presence information to multiple client devices – col. 3, lines 13-25).**

However, Mathis does not explicitly teach *providing presence information associated with said at least one user to at least on entity.*

Philonenko further teaches that is well known that to utilize providing presence information associated with said at least one user to at least on entity comprising a plurality of parts, at least one of said parts comprising information identifying an application for which said at least one part is intended **(identification parameter (member ID number) – [0146]);** and

at least one entity to which presence information associated with said at least one user is provided, said at least one entity comprising at least one application **(entities include agents, clients, machines, and software applications – [0021]);**

for identifying an application for which said at least one part is intended **(ICQ.TM. service – [0088])**

said at least one entity being configured to use said information to obtain the at least one part of said presence information intended for said at least one entity application of the at least one entity **(a client may configure as many devices into the system as desired for enabling agent callbacks under a variety of circumstances – [0119])** in order to make this more efficient and providing communication capability using an instant message and presence protocol between members of the communication center including automata of the center [0002].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mathis's invention by utilizing software (application) which is monitoring and reporting application and providing for reporting presence information of networked entities in real time. While presence information is flexible and useful for reporting information about agents to clients and about clients to agents, it has occurred to the inventors that there also exists an opportunity for using such a presence protocol for managing the communication center itself in terms of internal policy, and member-to-member communication within the center whether agent-to-agent, machine-to-machine, agent-to-machine, or machine-to-agent. Furthermore, what is clearly needed is system and method that extends the use of an instant message and presence protocol to enable synchronizing of data among members of the communication center team itself and the call center equipment. Such a system and method would economize

communication by replacing some of the more complex and traditional telephony software routines, as taught by Philonenko [0017-0018].

Regarding claim 11, Mathis and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said at least one user comprises user equipment **(Fig. 1 -- wireless connectivity 118 between the client devices 102, 104, 106, 108 and the server – col. 3, lines 12-30)**.

Regarding claim 12, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101).**

Regarding claims 13, Mathis and Philonenko together taught the apparatus as in claim 1above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol **(SIP – [0100])**.

Regarding claims 14, Mathis and Philonenko together taught the apparatus as in

claims 1 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178]).**

Regarding claims 15, Mathis and Philonenko together taught the apparatus as in claim 1 above. Mathis further teaches wherein said tuple comprises; Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).**

Regarding claims 16, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said processor is configured o receive a request from said entity for only one or more parts of said presence information processed by one or more applications of said entity **(FIG. 3 is a flow diagram illustrating client and system procedural steps for practicing communication-center presence reporting according to an embodiment of the present invention – [0030]).**

Regarding claims 17, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

Regarding claim 19, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

Regarding claim 21 list all the same elements of **claims 1**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1** applies equally as well to **claim 21**.

Regarding claim 22, Mathis and Philonenko together taught the system of claim 21, as described above. Mathis further teaches wherein said entity application is configured to process the at least one part of the presence information that comprises information identifying said entity application **(a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**

Regarding claim 23 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 23**.

Regarding claim 24 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 24**.

Regarding claim 25, Mathis and Philonenko together taught the apparatus of claim 24, as described above. Mathis further teaches wherein said entity application is configured to process the at least one part of the presence information that comprises information identifying said entity application **(a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**

Regarding claim 27 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 27**.

Regarding claim 28 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 28**

Regarding claim 29, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said entity is a user terminal **(In FIG. 5 there are two clients (persons) labeled Client 1 and Client 2. There are four client devices 129, 133, 137, and 125, shown in FIG. 5. Client 1 has a PC 129 at his home, which executes an instance of FPS-SW 131, which is, in this case, AOL. Client 1 also has a PC 137 at his office executing an instance of CPS-SW 195 – [0105]).**

Regarding claim 30, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the at least one user comprises a presence engine **(A user may connect to an IM server to establish and download presence information – Col. 2, lines 62-65).**

Regarding claim 31, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein said at least one application is configured to register with said presence engine said information identifying said application **(Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).**

Regarding claim 32, Mathis and Philonenko together taught the system as in claim 23 above. Mathis further taught wherein at least one of said at least one application and

said presence engine is configured to add said identifying information to at least one part of the presence information **(A contact list, associated with each communication device, identifies one or more of the other communication devices – col. 1, lines 59-61)**.

Regarding claim 33, Mathis and Philonenko together taught the apparatus as in claim23 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 6 is a plan view of an exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0110]).**

Regarding claim 34, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol **(SIP – [0100])**.

Regarding claim 35, Mathis, Sylvain and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178]).**

Regarding claim 36, Mathis and Philonenko together taught the apparatus of claim 23, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).**

Regarding claim 37, Mathis and Philonenko together taught as in system as in claim 23 above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information **(Fig. 2, unit 260 – each client device configures itself to receive multicast messages).**

Regarding claim 38, Mathis and Philonenko together taught the system as in claim 23 above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application **(Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses)**.

Regarding claim 39, Mathis, Sylvain and Philonenko together taught the system as in claim 23 above. Mathis further taught wherein at least one of said at least one application and said presence engine is configured to add said identifying information to at least one part of the presence information **(Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of**

identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).

Regarding claim 40, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said entity is a user terminal **(In FIG. 5 there are two clients (persons) labeled Client 1 and Client 2. There are four client devices 129, 133, 137, and 125, shown in FIG. 5. Client 1 has a PC 129 at his home, which executes an instance of FPS-SW 131, which is, in this case, AOL. Client 1 also has a PC 137 at his office executing an instance of CPS-SW 195 – [0105]).**

Regarding claims 41, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]).**

Regarding claim 42, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 6 is a plan view of**

an exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0110]).

Regarding claim 43, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol **(SIP – [0100])**.

Regarding claim 44, Mathis and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178]).**

Regarding claim 45, Mathis and Philonenko together taught the apparatus of claim 23, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).**

Regarding claim 46, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein the apparatus is configured to request only one or more parts of said presence information processed by one or more

applications of the apparatus **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]).**

Regarding claim 47, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

Regarding claim 48, Mathis and Philonenko together taught the system as in claim 24 above. Philonenko further teaches wherein said filtering unit is provided in at least one of an apparatus **(filtering status information that closely matches a user request – [0056]),** a presence server: and said at least one user **(presence server – [0066]).**

Regarding claim 49, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

Regarding claim 50 list all the same elements of **claims 1 & 21**, but in method form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 50**.

Regarding claim 51 list all the same elements of **claims 1 & 21**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 51**.

Regarding claim 52 list all the same elements of **claims 1 & 21**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 52**.

Regarding claim 53, Mathis and Philonenko together taught the system of claim 21, as described above. Mathis further teaches wherein directing said at least one part of said information to the identified entity application information identifying said entity application **(a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**.

Regarding claims 54, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status**

change notifications to a monitoring application – [0189]).

Regarding claim 55, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101).**

Regarding claims 56, Mathis and Philonenko together taught the apparatus as in claims 21 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178]).**

Regarding claims 57, Mathis and Philonenko together taught the apparatus of claim 21, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).**

Regarding claim 58, Mathis and Philonenko together taught the system as in claim 50 above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information **(Fig. 2, unit 260 – each client device configures itself to receive multicast messages).**

Regarding claim 59, Mathis and Philonenko together taught the system as in claim 50 above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application **(Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses)**.

Regarding claims 60, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]).**

Regarding claim 61, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101).**

Regarding claims 62, Mathis and Philonenko together taught the apparatus as in claims 50 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178]).**

Regarding claims 63, Mathis and Philonenko together taught the apparatus of claim 50, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).**

Regarding claims 64, Mathis and Philonenko together taught the apparatus as in claim 50 above. Philonenko further teaches wherein said processor is configured o receive a request from said entity for only one or more parts of said presence information processed by one or more applications of said entity **(FIG. 3 is a flow diagram illustrating client and system procedural steps for practicing communication-**

center presence reporting according to an embodiment of the present invention – [0030]).

Regarding claim 65, Mathis and Philonenko together taught the apparatus as in claim 50 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

(10) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses them individually.

(A) Appellant Argues:

The cited combination Mathis and Philonenko fail to teach or suggest "information identifying an application" within the context of claim 1. As such, the combination of Mathis with Philonenko fails to render the claims obvious.

In Response:

With respect to Appellant arguments that the cited combination Mathis and Philonenko fail to teach or suggest "information identifying an application" within the context of claim 1. As such, the combination of Mathis with Philonenko fails to render

the claims obvious. Examiner would draw attention to col. 2, lines 50-60 of **Mathis**, wherein systems and methods are disclosed to distribute information, including presence information, to locally clustered groups of users with similar contact lists. For example, the contact list information can be used to operate an Instant Messaging ("IM") service or other services based on presence information. The present invention also uses the contact lists to control invocation of group-related services, such as a dispatch call (one to many) and an individual call (one to one).

In addition, Instant messaging systems can be considered as having two separate, though coupled, services: a presence service that distributes information on user status, and a transmission service that transmits a message to a particular user. A user may connect to an IM server to establish and download presence information and, then, uses a Short Messaging Service ("SMS") to exchange messages (col. 2, lines 60-65).

Furthermore, Examiner would draw attention to Fig. 1, col. 3, lines 13-25, wherein the client devices 102, 104, 106, 108 and the server 112 each include a processor for general operation of the server and a memory for storage of applications and data wherein a portion of the plurality of communication devices receives the multicast messages identified by the one or more multicast addresses and extracts the presence information about the group of multicast devices from the multicast messages, which is “Here same as identifying an application (e.g. extracting the presence information).”

Examiner would like to draw attention to [0021] of **Philonenko**, wherein the networked entities include agents, clients, machines, and *software applications* and data reporting, and synchronization is conducted using an *instant message and presence protocol* (which is here same as *identifying an application*). In some cases the software agent locates the target entity in the system and requests current data from the entity to build a complete or update an existing model of the presence information belonging to the entity. Also in some cases application activity is event driven, the event characterized as one of a routing request, a queuing request, or a system status request.

Examiner would like to draw attention to [0088], wherein one embodiment of the present invention, PC 9 has a known instant-messaging software application installed therein and adapted to use FPS 93 as a centralized communication server. An example of one such messaging service would be the well-known ICQ.TM. service ("*ICQ here is an identified application or a software application which is synchronized and conducted using an instant message and presence protocol*"). In this case, CCPS 94 running on status server 49 is adapted to support the particular instant-messaging application employed by user 9 and supported at FPS 93. The instant-messaging application is, of course, assumed to be executing on the client machine, shown here as FPS-SW 97. For example, CCPS 94 may be adapted to recognize various descriptive states-of-activity represented at FPS 93 and associated with real-time communication states of connected users, in this case user 9. Examples of such states available through instant messaging services include indications of whether user 9 may be off-line or online.

Other status indications such as "user is away" or "do not disturb" may also be included as standard status indications available with known messaging services.

Examiner would draw attention to Figs. 6-7, [0110], wherein Fig. 6 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention. Interface 99 may take the form of instant message, a messaging window integrated into an electronic information page (web page), or any other graphics interface that may be propagated over network lines to subscribing devices. In this simple example, Joe Customer has a status of ONLINE and the requested callback medium of voice over Internet protocol, (”e.g., when the Joe customer registers or propagates his presence status as online over the network, in the mean time, he registers or stores his preference/presence information through which he would prefers to be contacted or reachable”) As such, this is considered as *storing presence information associated with at least one user*. Other callback mediums listed in interface 99 include a COST medium and a Pager medium. As such, this is considered as *said presence information comprising a plurality of parts*.

Examiner would draw attention to [0111-0122], wherein in a one case, an agent subscribes to the status of Joe Customer during a dialog session typically initiated by Joe Customer. Interface 101 is analogous informed to interface 99 with the exception that the indicated status is OFFLINE. The status depicted in interface 101 is an indication to a subscribing agent that Joe is no longer connected to an interfacing server on the network. If Joe is connected to the network but no activity is recognized for a

predetermined period of time, Joe's status may be determined to be AWAY. In this example, interface 101 depicts a pager medium as a preferred callback option [0111].

"Again here the agent will recognize and identify the proper application to reach the user (e.g., Joe customer) based on the user presence status. As such, this is considered as *information identifying an application for which said at least one part is intended*.

Similarly, Examiner would like to draw attention to [0109, 0155], wherein instant messaging, status alerts may take the form of pager messages *"pager here is same as a type of application"* or other types of known alerts "types of known alert *here is same other types of application*" when a client status is determined to be off-line.

In addition, Examiner would like to draw attention to [0189], wherein one with skill in the art will appreciate that IMPP can be used as communication between all center members whether human or no or whether they are aggregated as groups or not. Members can include database software and traditional communication-center functional applications like routing software, tracking software, queuing software, and the like. Using IMPP with database resolution down to individual state blocks enables an accurate and current picture of activity state and availability of any given communication center principle – [0189] "*Principle here is same as application"… "Principle 1101 may be a single user such as an agent, client or single machine (system) or application -- [0174]"*. Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application. For example, as a

principle evolves in activity state, each actual state change can be considered an event in an event-driven system such that a current presence report is always immediately available. Accessing the presence information is also event driven. For example, if there are no requests logged or active within the communication system dealing with a particular principle, then there is no activity spawned to access information about the principle. This concept is event-driven access. An example of events in this case would be a number of calls waiting in queue for a particular agent. Each call as it comes up for treatment will be an event that spawns activity, for example, of a routing application to request and obtain most recent presence information on the agent before final routing determination.

Therefore, for the above reasons, the combination of Mathis and Philonenko meet the claim limitations.

11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/S N/

Examiner, Art Unit 2478

18 November 2010

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2478

Conferees:

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Supervisory Patent Examiner, Art Unit 2478